IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO.142 OF 2003
IN
WRIT PETITION NO.6312 OF 2003

The Pen Co-operative Urban Bank Ltd. Appellants
vs.
Smt.Seema Ramesh Gharge-Patil & ors. Respondents

Mr.H.J.Thakkar, senior counsel with Mr.N.N.Bhadrashete i/b.Mr.V.M.Joshi for the appellants.

Ms.Rita Bhatia with Mr.Wagh for the respondents 1 to 3.

CORAM : R. M. LODHA &
R. S. MOHITE,JJ.

DATED : 13th April 2005

P.C.

The learned senior counsel for the appellants and the learned counsel for the respondents 1 to 3 are agreeable that Writ Petition No.6312 of 2003 itself deserves to be heard at an early date by the learned Single Judge.

2. The learned senior counsel for the appellants submitted that if the hearing of the writ petition is expedited, he does not want the Letters Patent Appeal to be considered on merits and that appellants may be permitted to withdraw the appeal.

3. Having considered the submissions and the subject

matter involved in the writ petition, we find ourselves in agreement with the submission of the learned senior counsel for the appellants and the learned counsel for the respondents 1 to 3 that writ petition no.6312/2003 deserves to be heard at an early date by the learned Single Judge.

4. We, accordingly, dispose of the letters Patent Appeal by the following order:

(i) Hearing of Writ petition No.6312/2003 is expedited.

(ii) Any of the parties may apply to the learned Single Judge for fixing the date of hearing of the aforesaid writ petition. We expect the learned Single Judge to accord priority to the writ petition and dispose of the matter as early as possible on any convenient date that may be fixed.

No costs.

(R.M. LODHA,J.)

(R.S. MOHITE,J.)